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Motion DENIED.

This the 8th day of January, 2015.

/s/Louise W. Flanagan, U.S. District Judge

FILED
DEC 12 2014
JULIE RICHARDS JOHNSTON, CLERK
US DISTRICT COURT, EDNC
BY _____ DEP CLK

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
Western Division (Raleigh)
Case No. 5:14-cv-365-FL

STEPHEN THOMAS YELVERTON Plaintiff v. YELVERTON FARMS, LTD. and PHYLLIS EDMUNDSON Co-Defendants	MOTION FOR RECONSIDERATION PER FRCP RULE 54 (b) OF TEXT ORDER

MOTION FOR RECONSIDERATION OF TEXT ORDER PER RULE FRCP 54 (b) AND FOR DEFENDANTS TO ANSWER AFFIDAVIT OF WADE H. ATKINSON, JR.

COMES NOW, Plaintiff Stephen Thomas Yelverton, Pro Se, pursuant to FRCP, Rule 54 (b), and LCvR, Rule 7.1, and hereby requests the Text Order, entered November 25, 2014, be Vacated with respect to the dismissal of the Appeal of the Magistrate Order in regard to the disqualification of White & Allen, P.A., for a conflict of interest. In support, the Affidavit of Wade H. Atkinson, Jr., executed December 11, 2014, is submitted. There is a pending Motion for Leave to Amend the Complaint and to join Atkinson as a party.

The Text Order is based upon the "misreading of arguments"

1. The purpose of a Motion for Reconsideration per FRCP, Rule 54 (b), is for the District Court to correct its own "clear errors of apprehension." The District Court retains the power to reconsider and modify its interlocutory Orders at "any time prior to a final judgment." Yates v. Air & Liquid Systems Corp., 2014 U.S. Dist. LEXIS 141658 *35 (September 14, 2014, Judge Louise Flanagan).

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